

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

JOHN T. DAY, III, *et al.*,

Plaintiffs,

v.

WILLIAM F. BURKE, *et al.*,

Defendants

Docket Number  
1:13-11475-FDS

**JOINT MEMORANDUM OF THE PARTIES PURSUANT TO L.R. 16.1**

NOW COME the parties in this action and submit this memorandum pursuant to LR 16.1.

**I. Joint Discovery Plan.**

The parties propose the following deadlines for discovery:

Automatic disclosures due	March 3, 2014
Factual discovery completed	September 20, 2014
Plaintiffs' designation of experts and disclosure of expert reports	October 1, 2014
Defendants' designation of experts and disclosure of expert reports	December 1, 2014
Expert depositions to be completed	February 1, 2015
Final Pretrial Conference to be scheduled after	June 1, 2015

The parties understand and agree that this discovery schedule assumes the cooperation of the parties, all third party witnesses, and expert witness. The parties further agree that requests for additional time for discovery may be made and shall be reasonably agreed to in the event of delays occasioned by discovery disputes requiring a decision by the Court, and/or the unavailability of fact or expert witnesses due to vacation or work schedules of for other good cause.

**II. Proposed Schedule for the Filing of Motions.**

The parties propose the following deadlines for motions:

All Motions under Fed. R. Civ. P. 12, 19, and 20	February 1, 2014
All Motions under Fed. R. Civ. P. 56	April 1, 2015

I. Certifications.

The undersigned counsel certify that each party and their counsel have conferred (a) with a view to establishing a budget for the costs of conducting the full course--and various alternative courses--of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in LR 16.4.

Plaintiffs are willing to participate in Court ordered and sponsored mediation after discovery is completed.

Plaintiffs by their representative,

  
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Colleen Day

Respectfully submitted,

PLAINTIFFS,

by their attorneys,

/s/ Jeffrey S. Baker

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Date: January 10, 2014

DEFENDANTS,

By their attorneys,

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